

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KATERINA PLEW

Plaintiff,

vs.

LIMITED BRANDS, INC., INTIMATE BRANDS, INC., LIMITED BRANDS STORE OPERATIONS, INC., VICTORIA'S SECRET STORES BRAND MANAGEMENT, INC., VICTORIA'S SECRET DIRECT BRAND MANAGEMENT, LLC AND VICTORIA'S SECRET STORES, LLC.

Defendants.

Case No. 08-CV-03741(LTS)

ANSWER TO COUNTERCLAIMS

Plaintiff and Counterclaim Defendant Katerina Plew, by her undersigned counsel, answers the counterclaims of Defendants Limited Brands, Inc., Intimate Brands, Inc., Limited Brands Store Operations, Inc., Victoria's Secret Stores Brand Management, Inc., Victoria's Secret Direct Brand Management, LLC and Victoria's Secret Stores, LLC as follows:

1. Admits, upon information and belief, the allegations in paragraph 1.
2. Admits, upon information and belief, the allegations in paragraph 2.
3. Admits, upon information and belief, the allegations in paragraph 3.
4. Admits, upon information and belief, the allegations in paragraph 4.
5. Admits, upon information and belief, the allegations in paragraph 5.
6. Admits, upon information and belief, the allegations in paragraph 6.
7. Admits the allegations in paragraph 7.
8. Admits that defendants purport to state counterclaims for declaratory judgment of non-infringement of the '362 patent and for invalidity of the '362 patent. Denies the remaining

allegations in paragraph 8, except to the extent they state legal conclusions to which no response is required.

9. Admits the allegations in paragraph 9.

10. Denies knowledge or information sufficient to form a conclusion as to the truth of the allegations in paragraph 10, except to the extent they state legal conclusions to which no response is required.

11. Denies knowledge or information sufficient to form a conclusion as to the truth of the allegations in paragraph 11, except to the extent they state legal conclusions to which no response is required.

12. Admits the allegations in paragraph 12.

13. Repeats her responses to paragraphs 1 through 12 as if fully set forth herein.

14. Denies the allegations in paragraph 14, except to the extent they state legal conclusions to which no response is required.

15. Repeats her responses to paragraphs 1 through 14 as if fully set forth herein.

16. Denies the allegations in paragraph 16, except to the extent they state legal conclusions to which no response is required.

FIRST AFFIRMATIVE DEFENSE

Defendants have infringed the '362 patent by making, using, offering to sell or selling the accused products.

SECOND AFFIRMATIVE DEFENSE

Defendants' counterclaims fail to state a claim on which relief can be granted.

WHEREFORE Plaintiff and Counterclaim Defendant Katerina Plew seeks an order of this Court dismissing defendants' counterclaims in their entirety, awarding Ms. Plew her attorneys' fees and costs incurred in this action and awarding her such other relief as the Court deems just and proper.

Dated: New York, New York
June 12, 2008



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